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8 **Attorneys for Plaintiff**
9 **J & J Sports Production, Inc.**

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **J & J Sports Productions, Inc.,**

13 **Plaintiff,**

14 **vs.**

15 **Pamela Tejada, et al.**

16 **Defendants.**

17 **Case No. 5:08-CV-00322-RMW**

18 **UPDATED JOINT CASE**
19 **MANAGEMENT CONFERENCE**
20 **STATEMENT**

21 **FOR: Hon. Ronald M. Whyte**

22 **DATE: September 5, 2008**

23 **TIME: 10:30 AM**

24 Pursuant to this Court's Civil Local Rule, the Parties submit this Case Management
25 Statement for the consideration of this Honorable Court

26 Wherefore, the Parties make the following representations and recommendations:

27 **1. Statement of Facts and Events Underlying This Action.**

28 The Plaintiff claims that the Defendants misappropriated a televised professional
29 boxing program to which the Plaintiff owned the exclusive commercial exhibition rights and
30 thereafter exhibited the program at the commercial establishment (Kadok's House of Mami-
31 Siopao & BBQ) in Santa Clara, California which they operated. The subject program, broadcast
32 on Saturday, January 21, 2006, was the "*The Battle: Eric Morales v. Manny Pacquiao II WBC*
33 *International Super Featherweight Championship Fight Program* (hereinafter "Program").

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1 The Defendants named to this action deny exhibition of the *Program* or any liability
2 for any alleged exhibition of the *Program*.

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4 **2. The Principal Factual Issues to Which the Parties Dispute.**

5 The named Defendants dispute the factual contentions concerning the exhibition of
6 the Program as alleged by the Plaintiff.

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8 **3. The Principal Legal Issues to Which the Parties Dispute.**

9 The named Defendants deny liability under the causes of action and legal theories
10 pled in Plaintiff's complaint.

11 The Plaintiff disputes the Defendants' legal contentions.

12

13 **4. Other Factual Issues Which Remain Unresolved.**

14 In that this matter has only recently commenced the Parties are unaware at this time of
15 which particular factual issues remain unresolved.

16

17 **5. The Following Defendant Has Not Been Served:**

18 All Defendant parties have been duly served.

19

20 **6. Consent to Jurisdiction By a Magistrate Judge**

21 At this time the Parties do not consent to a Court trial presided over by a magistrate
judge.

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23 **7. Alternative Dispute Resolution**

24 The Parties propose a settlement conference before a U.S. District Court Magistrate
25 Judge as the ADR process in this action.

26 ///

27 ///

28 ///

8. Disclosures

The Parties have agreed to exchange initial disclosures by and through their counsel on or before September 5, 2008.

9. Discovery

The Parties respectfully request that the discovery in this action not be limited nor conducted in phases. The Parties propose a discovery cut off date of August 1, 2009.

10. Proposed Pre-trial and Trial Schedule

Should a trial in this matter become necessary, the Parties respectfully submit the following schedule for this Honorable Court's consideration:

Anticipated Length of Trial: 3 Days
Type of Trial: Bench Trial

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1 **Signature and Certification By Lead Trial Counsel**

2 Pursuant to Civil L.R. 16-12, the undersigned certifies that he or she has read the brochure
3 entitled "Dispute Resolution Procedures in the Northern District of California," discussed the
4 available dispute resolution options provided by the Court and private entities and has considered
5 whether their case might benefit from any of the available dispute resolutions options.

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Date: September 4, 2008

/s/ Thomas P. Riley

LAW OFFICES OF THOMAS P. RILEY, P.C.

By: Thomas P. Riley

Attorneys for Plaintiff

J & J Sports Productions, Inc.

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Date: 9/04/08

Rodel E Rodis

LAW OFFICES OF RODEL E. RODIS

By: Rodel E. Rodis

Attorney for Defendants

Pamelia M. Tejada

Ricardo R. Tejada

JOINT CASE MANAGEMENT CONFERENCE STATEMENT
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Case Management Order (Proposed)

The Case Management Statement and Proposed Order is hereby adopted by the Court as the Case Management Order for the case and the Parties are ordered to comply with this Order.

In addition the Court orders:

Dated:

**The Honorable Ronald M. Whyte
United States District Court Judge
Northern District of California**

PROOF OF SERVICE (SERVICE BY FAX)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is First Library Square 1114 Fremont Avenue, South Pasadena, California 91030. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

September 4, 2008 I served:

UPDATED JOINT CASE MANAGEMENT CONFERENCE STATEMENT

On all parties in said cause by faxing same to the Defendant's counsel at the following fax no. (415) 334-7855:

Mr. Rodel Rodis, Esquire
Law Offices of Rodel Rodis
2429 Ocean Avenue
San Francisco, CA 94127

Attorney for Defendants
Pamela M. Tejada
Ricardo R. Tejada

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on September 4, 2008, at South Pasadena, California.

Dated: September 4, 2008

/s/ Andrea Chavez
ANDREA CHAVEZ